

2005 Senate Bill 493

Date of enactment: **March 21, 2006**

Date of publication\*: **April 4, 2006**

# 2005 WISCONSIN ACT 156

**AN ACT** to amend 938.38 (5) (a) of the statutes; **relating to:** the frequency of permanency plan reviews for a juvenile who is placed outside the home (suggested as remedial legislation by the Director of State Courts).

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Director of State Courts and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

**SECTION 1.** 938.38 (5) (a) of the statutes is amended to read:

938.38 (5) (a) Except as provided in s. 48.63 (5) (d), the court or a panel appointed under par. (ag) shall review the permanency plan in the manner provided in this subsection not later than 6 months after the date on which the

juvenile was first removed from his or her home and every ~~12~~ 6 months after a previous review under this subsection for as long as the juvenile is placed outside the home, except that for the review that is required to be conducted not later than 12 months after the juvenile was first removed from his or her home and the reviews that are required to be conducted every 12 months after that review the court shall hold a hearing under sub. (5m) to review the permanency plan, which hearing may be instead of or in addition to the review under this subsection.

NOTE: According to the Director of State Courts, this amendment of the frequency of permanency plan reviews makes this provision consistent with current practice, current federal law (see 45 CFR 1355.34 (c) (2)), and the corresponding provision under the Children's Code (s. 48.38 (5) (a), stats.).

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\* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].